

To the Honourable the Knights, Citizens and Burgeſſes in Parliament Aſſembled.

A BRIEF of the CASE of JOSEPH MITCHELL, Eſq; Son and Heir and Adminiſtrator of Sir MICHAEL MITCHELL, of the City of Dublin, Knt. deceased, Lord-Mayor of the City during the Reduction of Ireland ;

H U M B L Y O F F E R E D :

S H E W I N G,

THAT his Father, Sir *Michael Mitchell*, when the Earl of *Tyrconnell* first began to Ruine the Protestant and *English* Interest in *Ireland*, was Imprisoned, and otherwise barbarously used, for adhering to that Interest, and securing the Records and Plate of the City of *Dublin*, of which he was one of the Eldest Magistrates.

When His Majesty's happy Victorory at the *Boyne* set him at Liberty, he vigorously bestirred himself, and animated his fellow-Citizens, to secure the Castle, and City Guards, and all the Publick Offices and Records there; and by Arming themselves, prevented the *Irish* Soldiers, on their leaving the said City, from committing the Destruction and Waste they threatned. For which Services, His Majesty made him Colonel of the *Militia* of the said City, whereby he got that Influence over the *Militia*, that they not only kept that Garrison secure from the Insults and Attempts of the Enemy, but prevailed with them frequently to convey Provisions to the Army, and to march on many Occasions, (once as far as *Sligoe*, above Ninety Miles) to fight the Enemy, though no *Militia* is obliged to pass the Bounds of their own Counties.

Besides which, he did many other eminent Services of great Toil and Expence, to the Impoverishing his Family, particularly in furnishing the *Militia* with Arms, and in Palasadoing and making the City Defensible, when *Sarsfield* threatned with a flying Army to surprize and burn it; yet never received the least Reward for any of his Services: All which, and many other Particulars, is amply Testified under the Seal of the said City, and by several Persons of Quality and Credit.

These Services induced the City to continue him Lord-Mayor for Two Years, while their Dangers and Troubles lasted; and His Majesty, in Consideration of his many good Services, and great Sufferings, was graciously pleased to grant him a Forfeited Estate, as former Kings had done to other active Magistrates on like Occasions, (with proviso the said Sir *Michael* made out His Majesty's Title to it.

That this Grant proved to be an Intricate Title, by the Malice and wicked Contrivances of some ill-designing Persons, who endeavoured to defeat His Majesty's Title, by Perjury, and Subornation of Perjury, which occasioned Three Years and an half continued Law-Suit: In detecting and clearing of which, the said Sir *Michael Mitchell*, and *Joseph Mitchell*, besides great Labour and Trouble, expended above its Value: Nor had this Title e'er been made out, but by their great Diligence and Care, which now redounds to the Benefit of the Publick. Soon after which the said Sir *Michael* died, leaving a numerous Ruined Family, without any other Hopes or Support but the said *Joseph Mitchell*'s sole Industry, (who at the same time is loaded by vast Debts of his Father's and his own, contracted to enable them to prosecute the aforesaid Title,) and the Hopes that this HONOURABLE HOUSE will tenderly Consider and Relieve their sad Case.

Upon a Reference whereof to the Trustees for Sale of Forfeited Lands in *Ireland*, the following Report was by them made: (*Viz.*)

To the Honourable the Knights, Citizens and Burgeſſes in Parliament Aſſembled.

May it Please Your HONOURS,

PUrsuant to a Clause in an Act made the last Session of Parliament, Intituled, An Act for Granting to His Majesty several Duties upon Low Wines, &c. We have Examined the respective Allegations in the Petition hereunto annexed, and it appears to us, That the Grant in the Petition mentioned was made to the Petitioner's Father, Sir *Michael Mitchell*, in Consideration of his Services and Sufferings to and for the present Government, which did appear to us by ample Testimonials of the Lord-Mayor and Citizens of *Dublin*, and several of the Nobility and Gentry in *Ireland*.

That he Borrowed the Summ mentioned in the Petition, of Mr. *Fownes*, and Expended it in prosecuting His Majesty's Title to the Lands in the said Grant mentioned.

That the Petitioner himself acted as his Father's Agent in the said Prosecution, from the beginning to the end; and though he could not remember the Particulars of his Father's Expences therein, produced us an Account of One Thousand Five Hundred Thirty Six Pounds, Fourteen Shillings, Borrowed by his Father, and all, to his knowledge, Expended on the said Prosecution. And by a Certificate under the Hands of His Majesty's Attorney and Solicitor-General of *Ireland*, it appears, That the Petitioner and his Father (in their Opinion) Expended near the full Value of the said Estate: And we were likewise informed by several Gentlemen at the Bar, and among the rest, by His Majesty's Solicitor-General, That they very well remembered the many Tryals in the Court of Justice here, for the said Lands, and did believe that the said Sir *Michael* Expended at least One Thousand Five Hundred Pounds therein.

All which is humbly submitted to Your HONOURS.

<i>Cyrill Wich,</i>	<i>James Hooper,</i>
<i>Francis Annesley,</i>	<i>T. Harrison,</i>
<i>John Trenchard,</i>	<i>John Cary,</i>
<i>J. Baggs,</i>	<i>H. Sheere,</i>
<i>William Fellowes,</i>	<i>Thomas Rawlins,</i>
<i>John Isham,</i>	<i>Henry Langford.</i>

The said JOSEPH MITCHELL most Humbly Prays Your HONOURS Commiseration of his Misfortunes; And as a Mark of Your Gracious Acceptance of his Father's Services and Sufferings, and their long and toilsom Prosecution to make out His Majesty's Title to the said Forfeiture, and that their Expence thereupon is Equivalent to the extreme Value thereof, to Confirm the aforesaid Grant to the said JOSEPH MITCHELL, or otherwise to Relieve him, as to Your great Justice and Wisdom shall seem fit.

CASE,

Relating to the Irish Forfeitures.

Different from any Petitioners Case, by
reason of his great Expence in making
Good the KING's Title,

With the Trustees Report thereupon.



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